

**REMARKS**

New claims 22-34 have been added. Support for these claims exists, *inter alia*, at page 3, lines 5-6 of the present specification as well as the original claims.

Claims 1, 2, 5-9, 13-17, 20 and 21 have been canceled.

Claims 3, 4, 10-12, 18, 19 and 22-34 are currently pending.

The Office Action rejected claims 3, 4, 10-12, 18 and 19 under 35 U.S.C. § 102 as anticipated by U.S. patent application publication no. 2004/0001799 (“Lu”) and U.S. patent 4,822,852 (“Wittmann”). In view of the following comments, Applicants respectfully request reconsideration and withdrawal of these rejections.

Neither Wittmann nor Lu discloses the claimed copolymers. Accordingly, neither reference can anticipate or render obvious the claimed invention.

Wittmann’s copolymers comprise polydiorganosiloxane carbonamide which can possess “CH<sub>2</sub>-O” between the terminal amide groups (“Z”) and the middle organosiloxane group (“RRSiO”). (See, formula (I) at col. 3, line 10). Thus, Wittmann’s copolymers possess a C-B-A-B-C type structure, where A is the organosiloxane group, B can be a “CH<sub>2</sub>-O” group and the C groups are the amide groups. In contrast, the claimed copolymers possess a B-C-A type structure. Thus, Wittmann’s copolymers are different from the claimed copolymers. This difference also manifests itself in that in Wittmann’s copolymers, oxygen bonds directly to the silicone atom (Z-X-O-Si-O.....), whereas no such directly-bound oxygen bond exists in the claimed copolymers. Clearly, Wittmann’s copolymers differ from the claimed copolymers, neither one teaching or suggesting the other.

Application No. 10/622,689  
Response to Office Action dated November 29, 2004

Regarding Lu, the copolymer of formula (I) (paragraph [0037]) does not contain the required oxyalkylene group. In Lu's formula (I) copolymer, "G" corresponds to the "NHCO" groups in the claimed copolymers (see, Lu at par. [0049]), "X" corresponds to the "(CH<sub>2</sub>)<sub>x</sub>" groups terminal to the "NHCO" groups in the claimed copolymers (see, Lu at par. [0043]), and "Y" corresponds to the "(CH<sub>2</sub>)<sub>x</sub>" group between the "NHCO" groups in the claimed copolymers (see, Lu at pars. [0044-45]). Thus, all variables in Lu's formula (I) copolymers correspond to elements found in either the polysilicone portion ("[<sub>z</sub>]"') or the polyamide portion ("[<sub>y</sub>]"') of the claimed copolymers, leaving the required oxyalkylene group ("[<sub>w</sub>]"') unaccounted for. In other words, no structure or variable in Lu's formula (I) copolymers corresponds to the required oxyalkylene group in the claimed copolymers, so Lu cannot anticipate the claimed copolymers -- this is highlighted by the fact that Lu's formula (I) copolymers can be used as starting materials and combined with oxyalkylene groups to produce the claimed copolymers. (See, specification at page 5, line 25 et seq.).

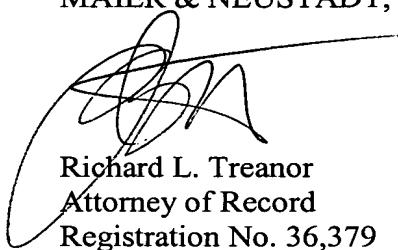
In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. § 102.

Application No. 10/622,689  
Response to Office Action dated November 29, 2004

Applicants believe that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Richard L. Treanor  
Attorney of Record  
Registration No. 36,379

Jeffrey B. McIntyre  
Registration No. 36,867

Customer Number

**22850**

Tel.: (703) 413-3000  
Fax: (703) 413-2220